

BOARD OF SHELBY COUNTY COMMISSIONERS

CHARTER FORM OF GOVERNMENT

1:30 P.M.	COMMISSION CONVENES
CALL TO ORDER	Deputy Sheriff Larry Brim
INVOCATION	A C Wharton, Jr., Shelby County Mayor
PLEDGE OF ALLEGIANCE	
ROLL CALL	

MOSS
ADOPTED

Resolutions of Memorial, Sympathy and Commendation

THOMPSON ADOPTED	1.	Memorial Resolution honoring Mr. Willard R. Sparks.
WILLINGHAM ADOPTED	2.	Memorial Resolution in remembrance of Charles Simpson Peete, Jr.
BOLTON ADOPTED	2A.	Memorial Resolution in tribute to retired Judge James E. Swearengen.

Zoning and Subdivisions

**MOSS
ADOPTED
(A-B)**

3. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.

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**KIRK
ADOPTED**

4. Resolution to approve the purchase of network equipment maintenance for FY 2004/2005, covering the Core Cisco Network Infrastructure that currently supports the majority of county networked business applications and e-government initiatives, from an existing State of Tennessee contract with Coleman Technologies, Inc. for an amount not to exceed \$81,712.20.

**KIRK
ADOPTED**

5. Resolution to convey two delinquent tax parcels to the City of Memphis for the use and benefit of the Division of Housing and Community Development, for providing affordable housing within the city limits of Memphis.

**KIRK
ADOPTED**

6. Resolution to approve revisions to the FY 2004-2005 personnel and operating budget for the Shelby County Election Commission in the amount of \$365,160.00 for State of Tennessee required special primary and general elections to fill vacancy in Tennessee Senate District 33.

**KIRK
ADOPTED**

7. Resolution approving changes to the policy previously approved for care of employees with on-the-job injuries and to review and update the panel of physicians chosen to render such care.

**KIRK
ADOPTED**

8. Resolution approving a sub-award to the City of Memphis on behalf of Memphis Police Department in the amount of \$12,050.00 net of required matching contribution pursuant to the Juvenile Accountability Block Grant for the term October 1, 2004 to September 30, 2005.

**KIRK
ADOPTED**

9. Resolution to extend the date for the Shelby County Board of County Commissioners and the Shelby County Mayor to receive the report of the Needs Assessment Committee.

**LILLARD
ADOPTED**

10. Resolution authorizing execution of a lease agreement with Kanorado Corporation for the use of deck barge "BAR 343" as approved by the Board of Commissioners of the Memphis and Shelby County Port Commission on December 16, 2004.

**AVERY
ADOPTED**

11. Resolution to approve Amendment No. 1 to the Multi-Services Grant contract between the Memphis and Shelby County Health Department and the Tennessee Department of Health for the period July 1, 2004 – June 30, 2005, in the amount of \$246,600.00 for the administration of multi-health services, amending fourteen (14) FY 2004/2005 Operating Budgets and amending the FY 2004/2005 Position Control Budget to add one (1) new position.

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| THOMPSON
ADOPTED | 12. Resolution approving a contract with Norment Security Group, Inc., and appropriating funds in the amount of \$1,860,000.00 from the CIP Budget #101505 for Jail Door Retrofit Phase III. |
| THOMPSON
ADOPTED | 13. Resolution amending the FY 2004/2005 Shelby County Operating Budget for the Juvenile Court of Memphis and Shelby County as per Exhibit A to increase the Tennessee Department of Human Services Child Support Enforcement Grant to a total of \$10,776,362.00. |
| THOMPSON
ADOPTED | 14. Resolution approving a contract amendment with Transcor America, LLC, in the amount of \$50,000.00 for Prisoner Extradition Services for the Sheriff's Office, Fugitive Division. |
| THOMPSON
ADOPTED | 15. Resolution amending the FY 2005 Shelby County Operating Budget for the Memphis and Shelby County Juvenile Court and FY 2005 CIP Budget as per Exhibit A to facilitate use of Unexpended Juvenile Accountability Block Grant Fund 294 grant proceeds in the amount of \$76,000.00 (federal funds) from Tennessee Commission on Children and Youth (TCCY), State of Tennessee and to facilitate expenditure of local matching funds in the amount of \$76,000.00. |
| THOMPSON
ADOPTED | 16. Resolution approving expenditure of funds by Homeland Security Department FY 2004/2005 Operating Budget in the amount of \$219,927.00 to Rescue Vehicles of Iowa, Inc. (RVI), for the purchase of a Haz-Mat Rescue vehicle for the Shelby County Fire Department. |
| KIRK
ADOPTED | 17. Resolution to approve Amendment #2 to the Shelby County Community Services Agency Low Income Home Energy Assistance Program contract due to additional allocations from the Tennessee Department of Human Services and to amend the FY 2005 Operating Budget from \$4,201,762.00 to \$4,654,197.00, an increase of \$452,435.00. |

**MALONE
ADOPTED**

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

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| THOMPSON
ADOPTED | 18. Resolution electing a member of the Tennessee General Assembly to the office of State Senator for the Thirty-third Senate District of Tennessee. |
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FORD
ADOPTED

19. Resolution approving the County Mayor’s nomination of Hughley Moore, Jr., and Juanita Terrell for reappointment and Ozeil R. Gavin for appointment to the *Shelby County Housing Authority*.

Ordinances

MOSS
(DEFERRED
TO 04/25/05)

20. ORDINANCE – (ZTA 03-002 CC) THIRD READING – A joint ordinance amending the Memphis an Shelby County Zoning Ordinance adopted by the Shelby County Board of Commissioners on October 6, 1980, and the Council of the City of Memphis on October 7, 1980; being Joint Ordinance No. 3064, as amended, by amending Section 29 - Signs
Subsection III – Definitions;
Subsection IV – Classification of signs;
Subsection V – Signs prohibited;
Subsection VI – General standards;
Subsection VII – Permanent on-premise sign regulations;
And by creating a new Subsection XII – Violations,
And a new Subsection XIII – Enforcement and Penalties;
amending Section 30 – Nonconformities; Subsection E – Nonconforming on-premise and off-premise signs; providing for severability; providing for repeal of conflicting ordinance requirements; and providing an effective date.

MOSS
ADOPTED

21. ORDINANCE – THIRD READING – An Ordinance to adopt Supplement No. 26 to the Code of Shelby County, Tennessee.

Zoning and Subdivisions

MOSS
ADOPTED

22. CASE NO. S.U.P. 04-219 CO
APPLICANT: Cingular Wireless

LOCATION: South side of Pleasant Ridge Road;
+/- 965 feet west of Ashley Road

REQUEST: Commercial mobile communications
system (CMCS) tower

Memphis and Shelby County Office of Planning and
Development recommendation:
REJECTION, IN FAVOR OF
ALTERNATIVE SITE

Memphis and Shelby County Land Use Control Board
recommendation:
APPROVAL WITH CONDITIONS

(No notice of public hearing or notice letters to
interested property owners required since there was no
opposition at the Land Use Control Board.)

Reports and/or Resolutions of Standing Committees

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| KIRK
ADOPTED | 23. Resolution approving on-the-job injury death benefits for Michelle Dunn as widow of Sheriff's Deputy Timothy Dunn. |
| THOMPSON
(DEFERRED
TO 02/28/05) | 24. Resolution approving contract with the Wackenhut Corporation in the amount not to exceed \$295,730.00 for the provision of security services for all entrances to the Shelby County Division of Corrections Main Compound. |
| THOMPSON
(DEFERRED
TO 02/28/05) | 25. Resolution approving an increase in the FY 2004/2005 Budget of the Emergency Management Agency in the amount of \$428,125.00 for three (3) additional emergency response ambulances; approving amendment to the contract with Rural Metro Mid-South, LP, and authorizing the Mayor or his designee to negotiate an amendment to the Intergovernmental Agreement. |
| THOMPSON
ADOPTED | 26. Resolution to authorize the office of the District Attorney General to expend the remainder of funds in the Community Gun Violence Prosecution Program from the Bureau of Justice Assistance, Office of Justice Programs, and to amend the FY 2004/2005 Shelby County Operating Budget and Position Control Budget. |
| THOMPSON
ADOPTED | 27. Resolution establishing the Shelby County Sheriff as the Shelby County Mayor's/County Executive's designee to promulgate policies and procedures for the Shelby County Police Department pursuant to the provisions of Tennessee Code Annotated 5-7-118. |
| FORD
ADOPTED | 28. Resolution establishing an optional payroll deduction for Shelby County Government employees to contribute to West Tennessee Concerns of Police Survivors. |
| BOLTON
(DEFERRED
INDEFINITELY) | 29. Resolution approving proposed legislation and requesting the Shelby County Legislative Delegation to introduce and support a legislative bill entitled "An Act to authorize Shelby County to levy and collect a Privilege Tax on development in order to provide that development contribute its fair share of the cost of providing and maintaining public facilities and services made necessary by such development." |
| BOLTON
ADOPTED | 30. Resolution by the Board of Commissioners of Shelby County, Tennessee, approving contract with Baker Donelson Bearman Caldwell & Berkowitz, PC, for the provision of governmental relations and lobbying services for matters before the Tennessee General Assembly. |

**BOLTON
ADOPTED**

- 31. Resolution endorsing full funding by the Tennessee General Assembly of provisions of the Better Education Program (BEP) for At-Risk Children in K-12 education.**

**BOLTON
ADOPTED**

- 31A. Resolution establishing debt reduction plan and 2006 budget targets.**

**BOLTON
(DEFERRED
TO 02/28/05)**

- 31B. Resolution endorsing and confirming efforts to secure proposed legislation relative to a tax on the “privilege of recording transfers of realty.”**

Announcements/Statements

Adjournment

**KIRK
ADOPTED**

- 32. Resolution of Adjournment to February 28, 2005, at 1:30 p.m.**

AGENDA # 3
FEBRUARY 14, 2005

3A

SUBDIVISION: CONCORD ESTATES SUBDIVISION, FIRST ADDITION
(S 99-063 CC)

DEVELOPER: CONCORD, L.L.C.

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE
THE IMPROVEMENTS TO CONCORD ESTATES SUBDIVISION,
FIRST ADDITION (S 99-063 CC) AND AUTHORIZE THE
RECORDING OF THE PLAT WHEN BONDING PROCEDURES
HAVE BEEN FULFILLED

LOCATION: GERTRUDE DRIVE AND SHELBY DRIVE

3B.

SUBDIVISION: ROCKYFORD FIRST ADDITION, SECTION E-2
(S 95-052 CO)

DEVELOPER: ROCKYFORD FIRST ADDITION, SECTION E-2, L.L.C.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE
IMPROVEMENTS TO ROCKYFORD FIRST ADDITION,
SECTION E-2 (S 95-052 CO)

LOCATION: EASTERN TERMINUS OF BEAGLE LANE; APPROXIMATELY
+165 FEET EAST OF CENTERLINE INTERSECTION OF
BEAGLE LANE AND ROCKYFORD CIRCLE

For questions regarding the Agenda,
please call Steve Summerall at 545-4301.]